

## **REMARKS**

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

Claims 18-21 are currently under consideration in the application. Claims 1-17 and 22-24 have been cancelled.

### **Claim rejections – Section 112**

The Examiner has rejected claims 22-24 under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 22-24 have been cancelled, rendering this rejection moot.

### **Claim rejections – Section 103**

Claims 18-21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. 4,866,910 to Reist (hereinafter Reist II) in view of U.S. 5,727,781 to Muller (hereinafter Muller). For the following reasons the Examiner's rejection is traversed.

Reist II is directed to a method of transferring printed products arriving in at least one continuous product stream to infeed paths of processing stations and an apparatus that includes a series of conveyors that are grippers running in a first direction to the infeed paths that run in a generally perpendicular direction.

Muller is directed to a process for combining printed products of a plurality of types to form sets having products of each type. The first type of products are

arranged in an imbricated formation in which they overlap one another in a first conveying direction and the edges run obliquely with respect to the first conveying direction. Products of another type are then deposited on the first products successively with the same alignment. Subsequent types of products may be similarly assembled to form the set of products. The formed sets having one of each type of products are then separated and conveyed in a further conveying direction which is angularly displaced from the first conveying direction.

Even if the references were combined in the manner proposed by the Examiner, the claimed invention would not result. Further modification would be required to arrive at the claimed invention. Regarding claim 18, neither reference, alone or in combination, teaches or suggests a method step of "supplying individual groups of flat part products of different types comprising at least partly different rectangular formats", as required. Rather, Reist II teaches only handling of products of a similar format, not of different rectangular formats. Also, Muller teaches only products having the same type of rectangular format.

Further, neither reference, alone or in combination teaches or suggests that within each part product group produced from the flat part products of different types comprising at least partly different rectangular formats, "one edge of each part product is aligned with an edge of the remaining part products and the aligned edges face a common side of the row", as required. Rather, Reist II teaches only products of a similar format, not of different formats and, thus, only one edge of each having only one edge of each part aligned is not the manner in which the products are placed. Again also, Muller teaches also only products having the same type of rectangular format.

Neither reference, alone or combined, teaches or suggests successively separating from the front end of the restored row, part product groups by gripping each part product group from a common side of the row, as required. Reist II discloses grippers, but the grippers of Reist II do not *separate* products from a row, but rather deposit products *to form* a row. Specifically, referring to Fig. 4 and Col. 5 Lines 3-18, no disclosure of gripper use for separation is taught. Instead, product being unrolled is handled by a conveyor moving in a perpendicular direction. Muller also does not teach the use of grippers for separating products.

Neither reference teaches winding the row of part product groups, formed by superimposing a plurality of supply streams, onto a roll core to form a roll, as required. Rather, Reist II teaches rolling products Z onto a roll (see Fig. 4), but the row of products Z is not formed by superimposing a plurality of supply streams. Muller does not teach any sort of rolling step.

Similarly, the proposed combination of references also does not teach or suggest restoring the row of part product groups, that was formed by superimposing a plurality of supply streams, by unwinding the roll. Again, Reist II does not teach forming or restoring a row created by superimposing a plurality of supply streams and Muller does not teach a rolling or unrolling step.

The Examiner states that combining the teachings of Reist II and Muller together would be obvious, but neither reference teaches products of different rectangular formats being aligned at a common edge and then using grippers to separated individual products from the stream at the aligned edges.

Claims 19-21 depend directly from claim 18 and are believed to be allowable at least for the reasons stated above.

For at least the reasons stated above, reconsideration and withdrawal of the rejection of claims 18-23 as being unpatentable over the combination of Reist II and Muller is respectfully requested.

Claims 18-23 also stand rejected under §103(a) as being unpatentable over U.S. Patent 4,684,118 to Boss (hereinafter Boss) in view of Muller and further in view of U.S. 6,270,076 to Reist (hereinafter Reist I). For the following reasons, the Examiner's rejection is traversed.

Boss is directed to a method and apparatus of temporarily storing printed products between two successive processing machines of a production line by convoluting them onto a rotor with a flexible band so that the products are stored between neighboring convolutions of the band.

Reist I is directed to a conveying system in which the conveyor has a branching point with a switch. The switch has a pivotable switching member which in one position lies in the conveyor line and in another position connects the first conveyor line with a second conveyor line.

Even if the references were combined in the manner proposed by the Examiner the claimed invention would not result.

Regarding claim 18, neither reference, alone or in combination, teaches or suggests a method step of "supplying individual groups of flat part products of different types comprising at least partly different rectangular formats", as required.

Rather Boss teaches only products of the same type with the same rectangular format. As previously stated, Muller also only teaches products having the same rectangular format. And Reist I only teaches handling of products of a similar format, not of different formats.

Further, neither reference, alone or in combination teaches or suggests that within each part product group produced from the flat part products of different types comprising at least partly different rectangular formats, "one edge of each part product is aligned with an edge of the remaining part products and the aligned edges face a common side of the row", as required. Rather, Boss and Reist I teach only products of a similar format, not of different formats so such alignment does not occur. Again, Muller teaches only products having the same type of rectangular format.

Additionally, neither reference alone or combined teaches or suggests successively separating from the front end of the restored row part product groups by gripping each part product group from a common side of the row, as required. Reist I discloses grippers, but the grippers do not separate products from a row, but simply advance products through the apparatus without separating the products from one another. Boss and Muller do not teach the use of grippers for separating products.

Additionally, neither reference teaches winding the row of part product groups, formed by superimposing a plurality of supply streams, onto a roll core to form a roll, as required. Rather Boss teaches rolling products from a single stream onto a rotor. Reist I does not teach rolling products in any manner. Muller also does not teach any sort of rolling step.

Similarly, the proposed combination of references also does not teach or suggest restoring the row of part product groups that was formed by superimposing a plurality of supply streams, by unwinding the roll. Again, Reist I and Muller do not teach a rolling or unrolling step.

The Examiner states that combining the teachings of Reist I, Boss and Muller together would be obvious, but neither reference teaches products of different rectangular formats being aligned at a common edge and then using grippers to separated individual products from the stream at the aligned edges as required.

Claims 19-21 depend directly from claim 18 and are believed to be allowable at least for the reasons stated above.

For at least the reasons stated above, reconsideration and withdrawal of the rejection of claims 18-23 as being unpatentable over the combination of Reist I, Boss and Muller is respectfully requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. FRR-15710.

Respectfully submitted,

RANKIN, HILL, PORTER & CLARK LLP

By /James A. Balazs/  
James A. Balazs, Reg. No. 47401

4080 Erie Street  
Willoughby, Ohio 44094-7836  
(216) 566-9700